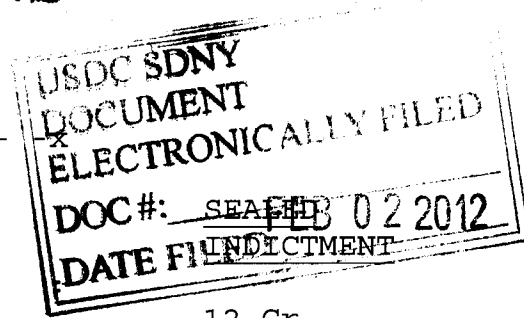


ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

ROKY FELIX GENAO GIRALDO,
JONATHAN GONZALEZ,
a/k/a "Jay," and
JOSE RAMON ROSA PICHARDO,

Defendants.

12 CRIM 098

COUNT ONE

The Grand Jury charges:

1. From in or about 2011, up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, ROKY FELIX GENAO GIRALDO, JONATHAN GONZALEZ, a/k/a "Jay," and JOSE RAMON ROSA PICHARDO, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ROKY FELIX GENAO GIRALDO, JONATHAN GONZALEZ, a/k/a "Jay," and JOSE RAMON ROSA PICHARDO, the defendants, and others known and unknown, would and did import into the United States from a place

JUDGE SULLIVAN

outside thereof a controlled substance, in violation of Sections 812, 952(a), and 960(a)(1) of Title 21, United States Code.

3. The controlled substance involved in the offense was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Section 960(b)(1)(B) of Title 21, United States Code.

Overt Acts

4. In furtherance of said conspiracy and to effect the illegal object thereof, in the Southern District of New York and elsewhere, ROKY FELIX GENAO GIRALDO, JONATHAN GONZALEZ, a/k/a "Jay," and JOSE RAMON ROSA PICHARDO, the defendants, and others known and unknown, committed the following overt acts:

a. On or about May 2, 2011, in New York, New York, a co-conspirator not named as a defendant herein ("CC-1"), possessed approximately \$100,000 in cash.

b. On or about January 21, 2012, in Bogota, Colombia, GIRALDO, PICHARDO, and a co-conspirator not named as a defendant herein ("CC-2"), met with two confidential sources working for the Drug Enforcement Administration ("CS-1" and "CS-2") and discussed the importation of approximately 50 kilograms of cocaine into New York from Colombia.

c. On or about January 25, 2012, in Bogota, Colombia, GIRALDO and GONZALEZ met with CS-1 and CS-2 and discussed the importation of approximately 50 kilograms of cocaine into New York from Colombia.

(Title 21, United States Code, Section 963.)

FORFEITURE ALLEGATION


5. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ROKY FELIX GENAO GIRALDO, JONATHAN GONZALEZ, a/k/a "Jay," and JOSE RAMON ROSA PICHARDO, the defendants, shall forfeit to the United States pursuant to 21 U.S.C. §§ 853 and 970, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violation, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Assets Provision


6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty;
- it is the intention of the United States, pursuant to Title 21, United States Code, Sections 853(p) and 970, to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)



FOREPERSON



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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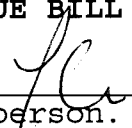
SEALED INDICTMENT

12 Cr. _____

(Title 21, United States Code, Section 963.)

PREET BHARARA
United States Attorney.

A TRUE BILL



Foreperson.

Feb 2, 2012

Filed Sealed Indictment

U.S.M.S. Debra Freeman